

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

UNITED STATES OF AMERICA,)	Case No.: 4:07-cr-00030-001
)	
v.)	<u>ORDER</u>
)	
KEVIN J. WITASICK,)	By: Hon. Jackson L. Kiser
)	Senior United States District Judge
Defendant.)	

On May 20, 2013, Defendant Kevin J. Witasick (“Defendant”) filed a Motion for a New Trial [ECF No. 402] (“Motion”) pursuant to Rule 33 of the Federal Rules of Criminal Procedure. In his Motion, Defendant requested a new trial on the grounds of newly discovered evidence and ineffective assistance of counsel. On March 14, 2014, I heard oral arguments on Defendant’s Motion. Having thoroughly reviewed the briefs, the record, and the arguments of all parties, the matter is now ripe for decision. For the reasons stated in the accompanying Memorandum Opinion, Defendant’s Motion is hereby **DENIED**.

The Clerk is directed to forward a copy of this Order and accompanying Memorandum Opinion to all counsel of record and to Defendant.

Entered this 7th day of April, 2014.

s/Jackson L. Kiser
SENIOR UNITED STATES DISTRICT JUDGE